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ORDINANCE NO. 2001 - 056

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED ENVIRONMENTALLY SENSITIVE LANDS SITE SPECIFIC AMENDMENT: 01-3 CON 1, MODIFYING PAGE 3 OF THE FLUA BY CHANGING APPROXIMATELY 180.8 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF INDIANTOWN ROAD AND NORTH OF BEELINE HIGHWAY FROM INDUSTRIAL (IND) TO CONSERVATION (CON); 01-4 CON 1, MODIFYING PAGE 4 OF THE FLUA BY CHANGING APPROXIMATELY 58.85 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHWEST INTERSECTION OF INDIANTOWN ROAD AND PRATT WHITNEY ROAD FROM INDUSTRIAL (IND) TO CONSERVATION (CON); 01-11 CON 1, MODIFYING PAGE 11 OF THE FLUA BY CHANGING APPROXIMATELY 25.6 ACRES OF LAND GENERALLY LOCATED ON THE APPROXIMATELY 1 MILE NORTH OF BEELINE HIGHWAY LOCATED ON WEST SIDE OF PRATT WHITNEY ROAD FROM INDUSTRIAL (IND) TO CONSERVATION (CON); 01-11 CON 2, MODIFYING PAGE 11 OF THE FLUA BY CHANGING APPROXIMATELY 133.8 ACRES OF LAND GENERALLY LOCATED ON THE NORTH OF BEELINE HIGHWAY AND ALONG WEST SIDE OF PRATT WHITNEY ROAD; FROM INDUSTRIAL (IND) TO CONSERVATION (CON); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on February 2, 9, 23, and March 9, 2001 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 26 and April 10, 2001 to review the recommendations of the Local Planning

1 Agency, whereupon the Board of County Commissioners authorized  
2 transmittal of proposed amendments to the Department of Community  
3 Affairs for review and comment pursuant to Chapter 163, Part II,  
4 Florida Statutes; and

5 **WHEREAS**, Palm Beach County received on July 1, 2001 the  
6 Department of Community Affairs "Objections, Recommendations, and  
7 Comments Report," dated June 29, 2001 which was the Department's  
8 written review of the proposed Comprehensive Plan amendments; and

9 **WHEREAS**, the written comments submitted by the Department of  
10 Community Affairs contained no objections to the amendments contained  
11 in this ordinance;

12 **WHEREAS**, on August 27, 2001 the Palm Beach County Board of County  
13 Commissioners held a public hearing to review the written comments  
14 submitted by the Department of Community Affairs and to consider  
15 adoption of the amendments; and

16 **WHEREAS**, the Palm Beach County Board of County Commissioners has  
17 determined that the amendments comply with all requirements of the  
18 Local Government Comprehensive Planning and Land Development  
19 Regulations Act.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
21 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

22 **Part I. Amendments to the Future Land Use Atlas of the Land Use**  
23 **Element of the 1989 Comprehensive Plan**

24 The following amendments to the Land Use Element's Future Land  
25 Use Atlas are hereby adopted and attached to this Ordinance:

26 **A. Future Land Use Atlas page 3 is amended as follows:**

27 **Application No.:** 01-3 CON 1 (Parcel 1)

28 **Amendment:** From Industrial (IND) to Conservation  
29 (CON);

30 **General Location:** South side of Indiantown Road and north of  
31 Beeline Highway,

32 **Size:** Approximately 180.8 acres;

33 **B. Future Land Use Atlas page 4 is amended as follows:**

34 **Application No.:** 01-4 CON 1 (Parcel 2)

Amendment: From Industrial IND) to Conservation (CON);

General Location: Southwest intersection of Indiantown Road and Pratt Whitney Road;

Size: Approximately 58.85 acres;

C. Future Land Use Atlas page 11 is amended as follows:

Application No.: 01-11 CON 1 (Parcel 3)

Amendment: From Industrial (IND) to Conservation (CON);

General Location: Approximately 1 mile north of Beeline Highway located on west side of Pratt Whitney Road;

Size: Approximately 25.6 acres;

D. Future Land Use Atlas page 11 is amended as follows:

Application No.: 01-11 CON 2 (Parcel 4)

Amendment: From Industrial (IND) to Conservation (CON);

General Location: North of Beeline Highway and along west side of Pratt Whitney Road;

Size: Approximately 133.8 acres;

## Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

### Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

#### Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

1                   Part V. Effective Date

2                   The effective date of this plan amendment shall be the date a  
3                   final order is issued by the Department of Community Affairs or  
4                   Administration Commission finding the amendment in compliance in  
5                   accordance with Section 163.3184, Florida Statutes, whichever occurs  
6                   earlier. No development orders, development permits, or land uses  
7                   dependent on this amendment may be issued or commence before it has  
8                   become effective. If the Administration Commission issues a final  
9                   order of noncompliance, this amendment may nevertheless be made  
10                  effective by adoption of a resolution affirming its effective status,  
11                  a copy of which resolutions shall be sent to the Department of  
12                  Community Affairs, Bureau of Local Planning, 2555 Shumard Oak  
13                  Boulevard, Tallahassee, Florida 32399-2100.

14                  APPROVED AND ADOPTED by the Board of County Commissioners of Palm  
15                  Beach County, on the 27 day of August, 2001.

16                  ATTEST:

17                  DOROTHY H. WILKEN, Clerk

18                  PALM BEACH COUNTY, FLORIDA,  
19                  BY ITS BOARD OF COUNTY COMMISSIONERS

20                  By: John Newell  
21                  Palm Beach County  
22                  Deputy Clerk

23                  By Warren H. Newell  
24                  Warren H. Newell, Chairman

25                  APPROVED AS TO FORM AND LEGAL SUFFICIENCY

26                  By John B. B. S.  
27                  County Attorney

28                  Filed with the Department of State on the 6th day  
29                  of September, 2001

**EXHIBIT 1**

A. Future Land Use Atlas page 3 is amended as follows:

**Amendment No.:** 01-3 CON 1 (Parcel 1)

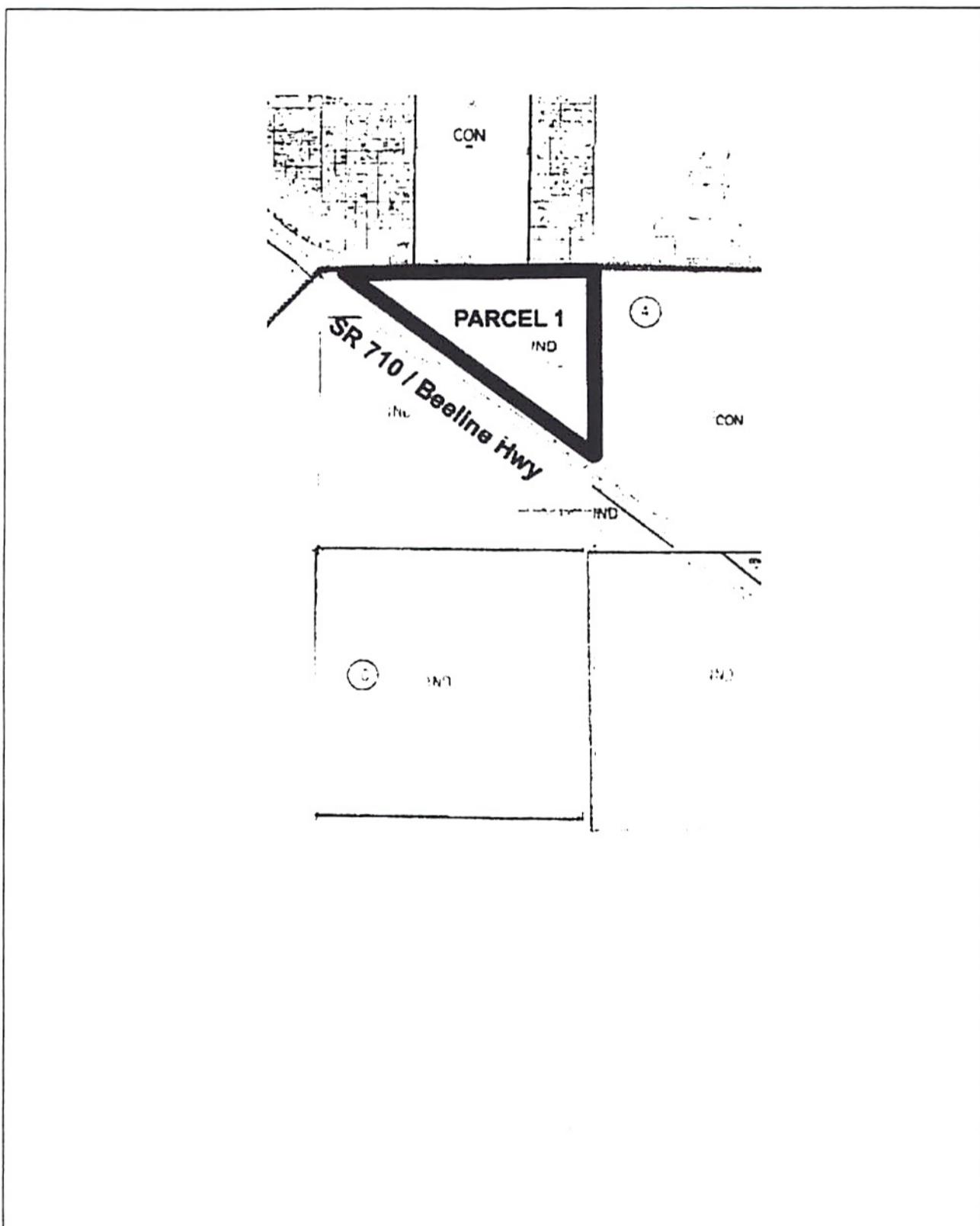
**Amendment:** From Industrial (IND) to Conservation (CON).

**Location:** South side of Indiantown Road and north of Beeline Highway.

**Size:** 180.8 acres

**Property No.:** 00-40-41-04-00-000-1020

**Conditions:** None



B. Future Land Use Atlas page 4 is amended as follows:

**Amendment No.:** 01-4 CON 1 (Parcel 2)

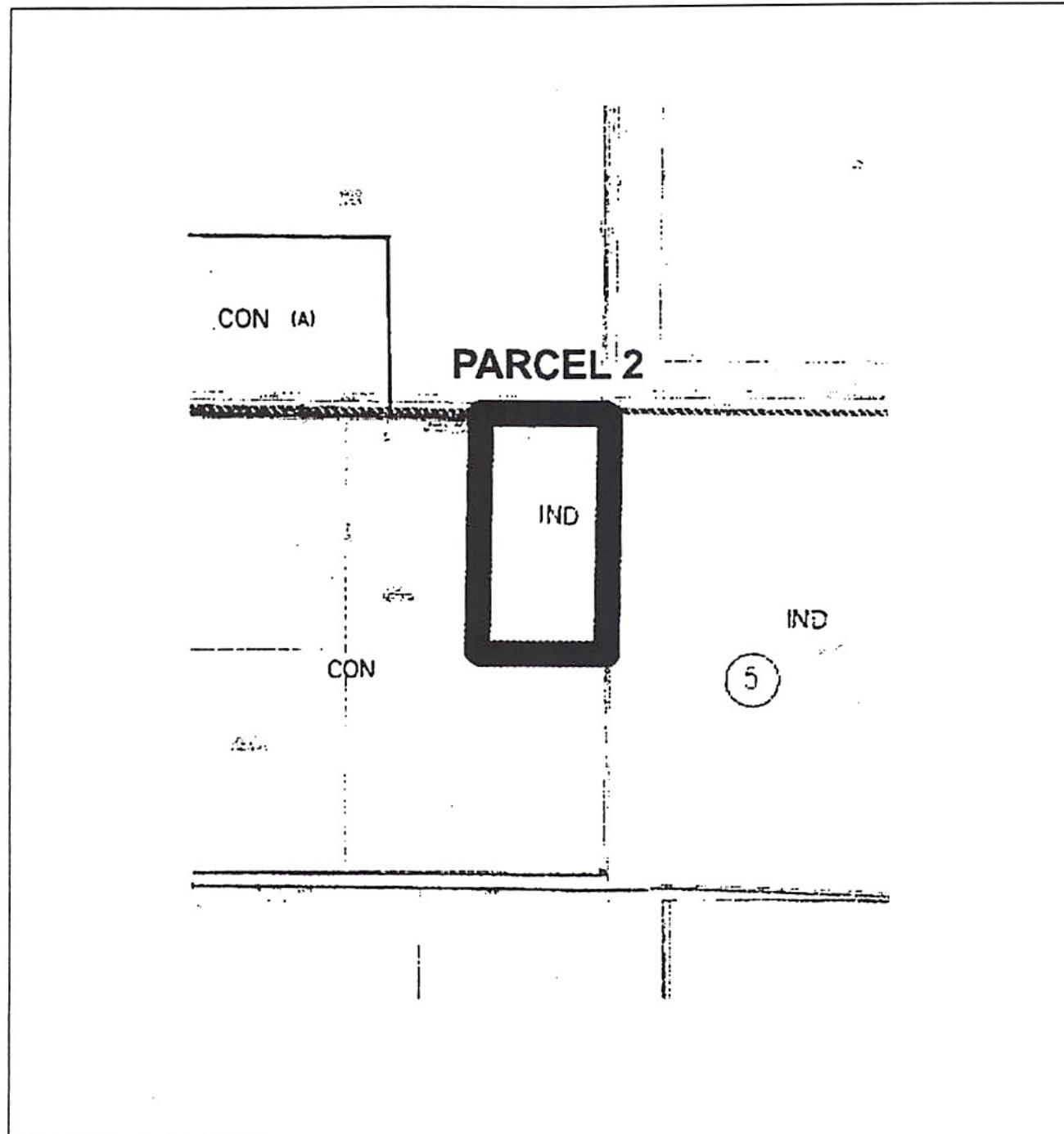
**Amendment:** From Industrial (IND) to Conservation (CON).

**Location:** Southwest intersection of Indiantown Road and Pratt Whitney Road.

**Size:** 58.85 acres

**Property No.:** 00-40-41-01-00-000-1020

**Conditions:** None



C. Future Land Use Atlas page 11 is amended as follows:

**Amendment No.:** 01-11 CON 1 (Parcel 3)

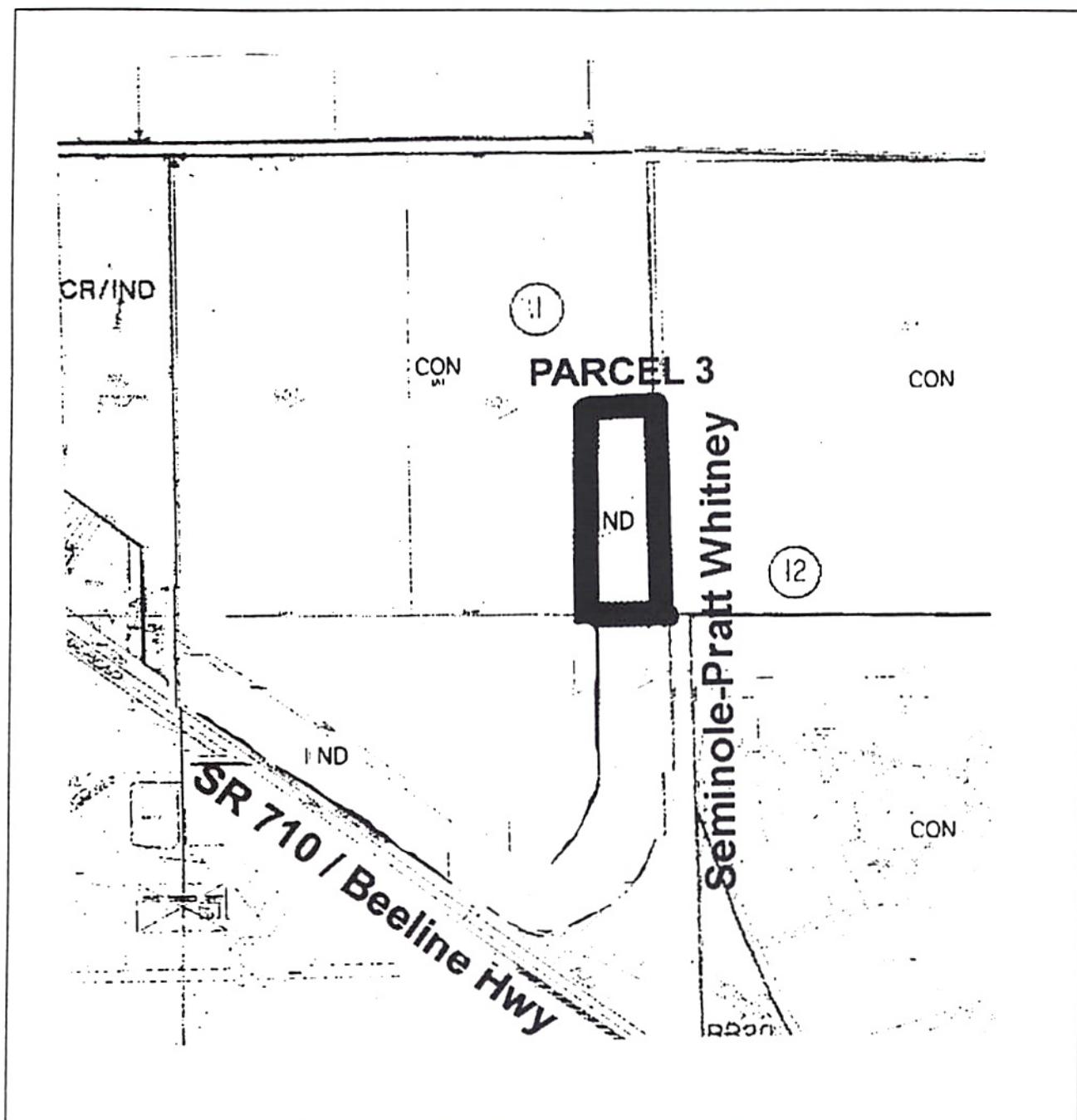
**Amendment:** From Industrial (IND) to Conservation (CON).

**Location:** Approximately 1 mile north of Beeline Highway located on west side of Pratt Whitney Road.

**Size:** 25.6 acres

**Property No.:** 00-40-41-12-00-000-5010

**Conditions:** None



D. Future Land Use Atlas page 11 is amended as follows:

Amendment No.: 01-11 CON 2 (Parcel 4)

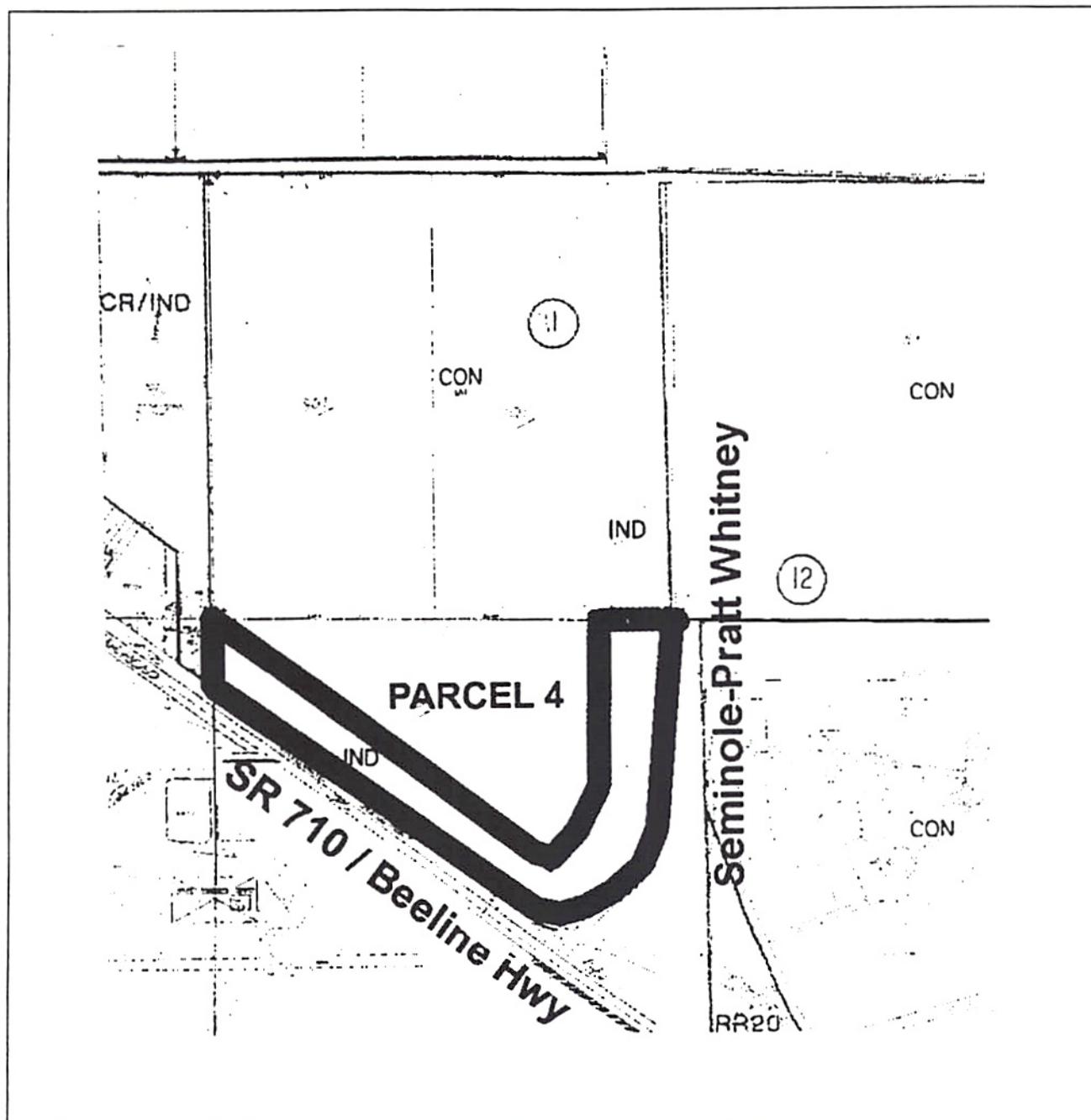
Amendment: From Industrial (IND) to Conservation (CON).

Location: North of Beeline Highway and along west side of Pratt Whitney Road.

Size: 133.8 acres

Property No.: 00-40-41-13-00-000-1020

Conditions: None



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on August 27, 2001  
DATED at West Palm Beach, FL on 9/20/01  
DOROTHY H. WILKEN, Clerk  
By: Maria Brown  
D.C.